

Rather than comply with the January 8, 2016, Order, Plaintiff made a belated attempt to opt-in to the Pro Se Settlement Assistance Program (“PSAP”). (Doc. No. 29). On January 27, 2016, the Court ruled that this matter is ineligible for PSAP. (Doc. No. 32). In spite of the Court’s prior warnings regarding continued non-compliance with its Orders, the parties were allowed an additional fourteen (14) days in which to submit their CIAC. *Id.* On February 3,

2016, Plaintiff filed a CIAC despite the fact that no conference with opposing counsel had occurred. (Doc. No. 34). The Court ordered Plaintiff's improper filing stricken from the record, and reaffirmed the fourteen (14) day deadline set forth in its January 27, 2016, Order. (Doc. No. 35).

On February 9, 2016, Defendant filed notices indicating that an Initial Attorney Conference had been mutually scheduled for February 8, 2016, but Plaintiff failed to appear. (Doc. Nos. 36, 37). The fourteen (14) day deadline ordered by the Court on January 27, 2016,—which, in turn, extended the original January 19, 2016, deadline—has now expired. No CIAC has been filed in violation of the Court's orders. Dismissal of this case without prejudice is, therefore, appropriate.

**IT IS, THEREFORE, ORDERED** that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil 41(b) for failure to prosecute this case. The Clerk of Court is respectfully directed to close this case.

The Clerk of Court is further directed to send a copy of this Order to Plaintiff by certified mail, return receipt requested.

**IT IS SO ORDERED.**

Signed: February 11, 2016



Frank D. Whitney  
Chief United States District Judge

